

Application No. 10/608,995

Filed: June 27, 2003

TC Art Unit: 3679

Confirmation No.: 6412

REMARKS

Claims 1-5, 7-9, 12-27, 29, 30, 33-40, 42-45, and 48-50 have been rejected under § 102(b) over Lew et al. (US Pat. No. 4,418,948). Reconsideration of this rejection is respectfully requested.

The Examiner indicated that the recitation that the coupling device is arranged so as to align or hold the two pipe elements during assembly is given little patentable weight as a process limitation in a product claim. The claim has been clarified in this regard to positively recite a structural limitation. Accordingly, consideration of this recitation as a structural recitation is believed to be appropriate.

Independent claim 1 incorporates the subject matter of dependent claims 2 and 3 and subject matter from dependent claim 4. In particular, claim 1 recites a coupling device disposed between the ends of the first and second pipe elements and beneath the circumferential clamping device. The coupling device is configured to align and/or hold the two pipe elements during the assembly. The coupling device has at least one coupling means extending outwardly in an axial direction towards the pipe elements, and the coupling means is configured to engage the two pipe elements on the outside of the pipe elements.

Lew relates to an elastic coupling for pipes and tubes. In Lew, however, the coupling ring is not placed between ends of the pipe elements, as in Applicants' claim 1. In the present invention, placement of the coupling device between the ends of the pipe elements and engagement of the coupling means of the coupling device with the outside of the pipe elements makes it

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possible to align and hold the pipe elements during assembly. Accordingly, claim 1 and the claims dependent therefrom are believed to be patentable over Lew.

Independent method claim 17 and independent product claim 20 have been amended similarly to claim 1 and are accordingly also believed to be patentable over Lew.

Independent method claim 16 recites the steps of arranging a coupling device in engagement with the end of a first pipe element, and bringing the end of a second pipe element into engagement with the coupling device, thus aligning and/or holding the two pipe elements during assembly. In Lew, the pipes are not sequentially coupled in this manner. Rather, the pipes must be held in alignment and then the coupling ring can be placed over the pipes. Thus, claim 16 is also believed to be patentable thereover.

Claims 6, 10, 11, 28, 31, 32, 41, 46, and 47 have been indicated as containing allowable subject matter. These claims are also believed to be patentable for the reasons set forth above with respect to claim 1.

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In view of the above amendments and remarks, all claims are believed to be in condition for allowance, and reconsideration and indication thereof are respectfully requested. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite prosecution of the present application.

Respectfully submitted,

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